

2015-118

**SECOND AMENDMENT TO DECLARATION OF
COVENANT, CONDITIONS, AND RESTRICTIONS**

JIM BRANNON 8 P 2502870000
KOOTENAI COUNTY RECORDER
PRP 6/19/2015 9:06 AM
REQ OF KOOTENAI COUNTY TITLE
COMPANY

THE RIDGE AT SUN UP BAY

RECORDING FEE: \$31.00 SC
Electronically Recorded

KOOTENAI COUNTY, IDAHO

This amendment is adopted and shall be deemed effective as of the recordation of this instrument, and pertains to that certain Declaration of Covenants, Conditions, and Restrictions recorded March 30, 2007, as instrument No. 209154600 and the First Amendment recorded April 5, 2011, as instrument No. 2308782000, Records of Kootenai County, Idaho, which Declaration governs that certain residential planned unit development project located in Kootenai County, Idaho, known as "The Ridge at Sun Up Bay" (the "Project")

This Amendment has been adopted by the Declarant pursuant to Section 16.2 of the Declaration. The Declaration and First Amendment are hereby amended and clarified in the following particulars:

Article 9.3 shall be deleted in its entirety;

Article 14.3.5 shall be deleted in its entirety;

A pathway easement is shown on the plat but is not legally described in complete detail. For the purpose of clarification, the complete legal of said pathway is attached hereto as Exhibit A. Said easement is for use by the members of the association for pedestrians, ATV, and golf carts in accordance with the association rules and regulations.

ACCOMMODATION RECORDING

KOOTENAI COUNTY TITLE COMPANY
has not examined this document,
assumes no liability as to its validity
and its affects upon the title.

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STATE OF Washington }
County of Spokane } ss

I hereby certify that I know or have satisfactory evidence that William M. Fanning is the person(s) who appeared before me, and said person(s) acknowledged it to be he/she/their free and voluntary act for the uses and purposes mentioned in this instrument.

DATED: 6/18/2015

Melinda J. Marigny
Notary Public in and for the State of: WA
Residing at: Spokane, WA
My appointment expires: 2/1/2017

Notary Public
State of Washington
Melinda J Marigny
My Comm. Exp. 02-01-17

Exhibit A

THE RIDGE AT SUN UP BAY PATHWAY EASEMENT

A strip of land 20 feet in width over and across lot 4, block 2; Tract "C" and lots 11 – 17, block 3 per the plat of The Ridge At Sun Up Bay as recorded in book J at pages 474 and 474 A- L, record of Kootenai, Idaho . Lying in section 19, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho and being more particularly described as follows:

Beginning at a point near the most westerly corner of lot 4, block 2 per the Plat of the Ridge at Sun Up Bay on the Easterly right of way line of Steelhead Street, Thence S 72°48'15" W a distance of 50.11 feet to a point.

Thence S 68°50'35" E a distance of 15.39 feet to a point.

Thence S 13°03'39" W a distance of 44.04 feet to a point.

Thence S 04°57'41" W a distance of 35.68 feet to a point.

Thence S 26°44'16" W a distance of 63.38 feet to a point.

Thence S 00°25'19" E a distance of 30.34 feet to a point.

Thence N 05°47'49" W a distance of 37.01 feet to a point.

Thence N 17°21'49" W a distance of 57.93 feet to a point.

Thence N 56°17'15" W a distance of 38.33 feet to a point.

Thence S 68°46'28" W a distance of 36.30 feet to a point.

Thence N 42°08'35" E a distance of 112.45 feet to a point.

Thence S 44°45'02" W a distance of 46.15 feet to a point.

Thence S 46°47'14" W a distance of 143.52 feet to a point.

Thence, along a curve to the right, having a radius of 17.19 feet, an arc length of 45.00 feet, a delta angle of 150°01'25", and a chord that bears N 58°12'03" W a distance of 33.20 feet to a point.

Thence N 16°48'39" E a distance of 42.10 feet to a point.

Thence N 21°10'54" E a distance of 56.91 feet to a point.

Thence S 16°08'30" W a distance of 134.90 feet to a point.

Thence S 11°03'09" W a distance of 143.30 feet to a point.

Thence, N 21°17'53" E a distance of 86.53 feet to point.

Thence, N 36°27'08" E a distance of 38.82 to a point.

Thence, N 31°24'53" E a distance of 66.53 feet to a point.

Thence, N 32°24'09" E a distance of 79.22 feet to a point.

Thence, N 46°58'41" E a distance of 50.27 feet to a point.

Thence, N 73°17'05" E a distance of 123.85 feet to a point.

Thence, N 72°43'07" E a distance of 119.53 feet to a point.

Thence, N 49°15'22" E a distance of 29.64 feet to a point.

Thence, N 60°04'47" E a distance of 146.97 feet to a point.

Thence, S 85°33'18" E a distance of 39.09 feet to a point.

Thence, N 75°23'11" E a distance of 73.68 feet to a point.

Thence, S 81°24'44" E a distance of 44.43 feet to a point.

Thence, N 83°35'01" E a distance of 37.74 feet to a point.

Thence, S 63°03'59" E a distance of 24.82 feet to a point.

Thence, S 80°02'14" E a distance of 141.64 feet to a point.

Thence, S 57°57'34" E a distance of 67.51 feet to a point.

Thence, S 64°49'54" E a distance of 81.84 feet to a point.

Thence, S 51°11'12" E a distance of 49.33 feet to a point.

Thence, S 67°15'30" E a distance of 64.02 feet to a point.

Thence, S 51°08'37" E a distance of 47.14 feet to a point.

Thence, S 55°27'37" E a distance of 87.30 feet to a point.

Thence, S 46°18'02" E a distance of 151.91 feet to a point.

Thence, S 48°59'28" E a distance of 53.92 feet to a point.

Thence, S 32°14'47" E a distance of 37.96 feet to a point.

Thence, S 47°26'08" E a distance of 78.23 feet to a point.

Thence, S 49°21'02" E a distance of 77.08 feet to a point.

Thence, S 42°06'11" E a distance of 63.07 feet to a point.

Thence, S 47°08'58" E a distance of 56.10 feet to a point.

Thence, S 52°44'16" E a distance of 96.42 feet to a point.

Thence, S 30°52'09" E a distance of 20.47 feet to a point.

Thence, S 39°48'15" E a distance of 120.05 feet to a point.

Thence, S 31°58'31" E a distance of 75.95 feet to a point.

Thence, S 49°30'21" E a distance of 25.09 feet to a point.

Thence, S 38°09'16" E a distance of 47.16 feet to a point.

Thence, along a curve to the right, having a radius of 13.77 feet, an arc length of 40.62 feet, a delta angle of 169°03'38", and a chord that bears S 34°42'55"W a distance of 27.41 feet to a point.

Thence, N 60°45'16" W a distance of 46.11 feet to a point.

Thence, N 53°49'05" W a distance of 46.99 feet to a point.

Thence, N 58°38'46" W a distance of 49.96 feet to a point.

Thence, N 69°54'06" W a distance of 74.69 feet to a point.

Thence, N 63°38'08" W a distance of 48.39 feet to a point.

Thence, N 80°26'49" W a distance of 33.41 feet to a point.

Thence, N 88°25'29" W a distance of 37.82 feet to a point.

Thence, N 77°56'49" W a distance of 23.42 feet to a point.

Thence, along a curve to the left, having a radius of 9.74 feet, an arc length of 24.83 feet, a delta angle of 146°08'18", and a chord that bears N 42°03'53"E a distance of 18.63 feet to a point.

Thence, S 31°00'16" E a distance of 8.83 feet to a point.

Thence, S 42°52'16" E a distance of 30.48 feet to a point.

Thence, S 50°33'13" E a distance of 36.04 feet to a point.

Thence, S 43°46'20" E a distance of 142.35 feet to a point.

Thence, S 18°00'53" E a distance of 31.22 feet to a point.

Thence, S 07°32'20" E a distance of 34.24 feet to a point.

Thence, S 04°55'57" W a distance of 20.26 feet to a point.

Thence, N 15°11'54" E a distance of 79.24 feet to a point.

Thence, N 32°26'59" E a distance of 69.11 feet to a point.

Thence, S 34°29'09" E a distance of 24.94 feet to a point.

Thence, N 23°52'47" E a distance of 14.39 feet to a point.

Thence, N 09°21'33" E a distance of 6.67 feet to a point.

Thence, S 16°02'26" E a distance of 7.43 feet to a point.

Thence, S 26°14'17" E a distance of 8.77 feet to a point.

Thence, S 22°19'44" E a distance of 26.50 feet to a point.

Thence, S 19°59'53" E a distance of 12.74 feet to a point.

Thence, S 01°44'47" E a distance of 10.96 feet to a point.

Thence, N 56°26'56" E a distance of 28.40 feet to the point of intersection with the Southerly right of way of Cordillera Street being the terminus point of said easement. With the side lines of said easement shortening or lengthening to intersect with said Southerly right of way of Cordillera Street and the easterly right-of-way of Stealhead Street.

TOGETHER WITH:

PATHWAY EASEMENT

A parcel of land being a portion of lot 11, block 3 per the Plat of The Ridge at Sun Up Bay as recorded in book J at pages 474 and 474 L, records of Kootenai County, Idaho lying in Section 19, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, being more particularly described as follows:

COMMENCING at the corner common to lots 10 and 11 per the Plat of The Ridge at Sun up Bay on the Southerly right-of-way of Cordillera Street per said plat's marked by a 5/8" rebar and PLS 881 cap; Thence, along the common line between said lots 10 and 11, S 10°28'08"W a distance of 450.82 feet to the **True Point of Beginning**;

Thence, leaving said common line, S 71°52'10"E a distance of 7.46 feet to a point;

Thence, S 59°37'56"E a distance of 85.76 feet to a point;

Thence, S 67°41'59"E a distance of 102.91 feet to the intersection with the existing pathway and pedestrian easement on lot 11;

Thence, along said right-of-way, on a non tangent curve to the right having a radius of 33.77 feet, an arc length of 20.57 feet, a delta angle of 34°54'30", and a chord that bears S 13°08'37"W a distance of 20.26 feet to a point

Thence, leaving existing pathway and pedestrian easement, N 67°41'59"W a distance of 107.54 feet to a point;

Thence, N 59°37'56"W a distance of 86.50 feet to a point;

Thence, N 71°52'10"W a distance of 4.10 feet to the intersection with the line common to lots 10 and 11;

Thence, along said common line N 10°28'08"E a distance of 20.10 feet to the **True Point of Beginning**;